

defense or any redundant, immaterial, impertinent, or scandalous matter.” The defense asserted by defendants is sufficient on its face and cannot be considered as asserting any improper matter as the alleged misconduct and negligence referenced finds support in the exhibits annexed by plaintiff to her own Complaint. The motion will, therefore, be denied.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff’s “Motion to Strike Defendant’s Negative Averments of ‘Misconduct[’] and ‘Negligence’ from Answer (#25) is **DENIED**.

Signed: March 1, 2011

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Dennis L. Howell
United States Magistrate Judge

